

As Reported by the House Judiciary Committee

**130th General Assembly
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H. B. No. 542

Representative Barborak

Cosponsors: Representatives Butler, Rogers, Stinziano, Celebrezze

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A B I L L

To amend sections 2929.01, 2929.18, and 2929.28 of 1
the Revised Code to permit a sentencing court to 2
order an offender to reimburse a county, township, 3
municipal corporation, or state law enforcement 4
agency for funds expended by the law enforcement 5
agency to purchase a drug, controlled substance, 6
or controlled substance analog from the offender 7
during the agency's investigation of a drug 8
offense. 9

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2929.01, 2929.18, and 2929.28 of the 10
Revised Code be amended to read as follows: 11

Sec. 2929.01. As used in this chapter: 12

(A)(1) "Alternative residential facility" means, subject to 13
division (A)(2) of this section, any facility other than an 14
offender's home or residence in which an offender is assigned to 15
live and that satisfies all of the following criteria: 16

(a) It provides programs through which the offender may seek 17
or maintain employment or may receive education, training, 18
treatment, or habilitation. 19

(b) It has received the appropriate license or certificate 20
for any specialized education, training, treatment, habilitation, 21
or other service that it provides from the government agency that 22
is responsible for licensing or certifying that type of education, 23
training, treatment, habilitation, or service. 24

(2) "Alternative residential facility" does not include a 25
community-based correctional facility, jail, halfway house, or 26
prison. 27

(B) "Basic probation supervision" means a requirement that 28
the offender maintain contact with a person appointed to supervise 29
the offender in accordance with sanctions imposed by the court or 30
imposed by the parole board pursuant to section 2967.28 of the 31
Revised Code. "Basic probation supervision" includes basic parole 32
supervision and basic post-release control supervision. 33

(C) "Cocaine," "hashish," "L.S.D.," and "unit dose" have the 34
same meanings as in section 2925.01 of the Revised Code. 35

(D) "Community-based correctional facility" means a 36
community-based correctional facility and program or district 37
community-based correctional facility and program developed 38
pursuant to sections 2301.51 to 2301.58 of the Revised Code. 39

(E) "Community control sanction" means a sanction that is not 40
a prison term and that is described in section 2929.15, 2929.16, 41
2929.17, or 2929.18 of the Revised Code or a sanction that is not 42
a jail term and that is described in section 2929.26, 2929.27, or 43
2929.28 of the Revised Code. "Community control sanction" includes 44
probation if the sentence involved was imposed for a felony that 45
was committed prior to July 1, 1996, or if the sentence involved 46
was imposed for a misdemeanor that was committed prior to January 47
1, 2004. 48

(F) "Controlled substance," "controlled substance analog," 49
"marihuana," "schedule I," and "schedule II" have the same 50

meanings as in section 3719.01 of the Revised Code. 51

(G) "Curfew" means a requirement that an offender during a 52
specified period of time be at a designated place. 53

(H) "Day reporting" means a sanction pursuant to which an 54
offender is required each day to report to and leave a center or 55
other approved reporting location at specified times in order to 56
participate in work, education or training, treatment, and other 57
approved programs at the center or outside the center. 58

(I) "Deadly weapon" has the same meaning as in section 59
2923.11 of the Revised Code. 60

(J) "Drug and alcohol use monitoring" means a program under 61
which an offender agrees to submit to random chemical analysis of 62
the offender's blood, breath, or urine to determine whether the 63
offender has ingested any alcohol or other drugs. 64

(K) "Drug treatment program" means any program under which a 65
person undergoes assessment and treatment designed to reduce or 66
completely eliminate the person's physical or emotional reliance 67
upon alcohol, another drug, or alcohol and another drug and under 68
which the person may be required to receive assessment and 69
treatment on an outpatient basis or may be required to reside at a 70
facility other than the person's home or residence while 71
undergoing assessment and treatment. 72

(L) "Economic loss" means any economic detriment suffered by 73
a victim as a direct and proximate result of the commission of an 74
offense and includes any loss of income due to lost time at work 75
because of any injury caused to the victim, and any property loss, 76
medical cost, or funeral expense incurred as a result of the 77
commission of the offense. "Economic loss" does not include 78
non-economic loss or any punitive or exemplary damages. 79

(M) "Education or training" includes study at, or in 80
conjunction with a program offered by, a university, college, or 81

technical college or vocational study and also includes the 82
completion of primary school, secondary school, and literacy 83
curricula or their equivalent. 84

(N) "Firearm" has the same meaning as in section 2923.11 of 85
the Revised Code. 86

(O) "Halfway house" means a facility licensed by the division 87
of parole and community services of the department of 88
rehabilitation and correction pursuant to section 2967.14 of the 89
Revised Code as a suitable facility for the care and treatment of 90
adult offenders. 91

(P) "House arrest" means a period of confinement of an 92
offender that is in the offender's home or in other premises 93
specified by the sentencing court or by the parole board pursuant 94
to section 2967.28 of the Revised Code and during which all of the 95
following apply: 96

(1) The offender is required to remain in the offender's home 97
or other specified premises for the specified period of 98
confinement, except for periods of time during which the offender 99
is at the offender's place of employment or at other premises as 100
authorized by the sentencing court or by the parole board. 101

(2) The offender is required to report periodically to a 102
person designated by the court or parole board. 103

(3) The offender is subject to any other restrictions and 104
requirements that may be imposed by the sentencing court or by the 105
parole board. 106

(Q) "Intensive probation supervision" means a requirement 107
that an offender maintain frequent contact with a person appointed 108
by the court, or by the parole board pursuant to section 2967.28 109
of the Revised Code, to supervise the offender while the offender 110
is seeking or maintaining necessary employment and participating 111
in training, education, and treatment programs as required in the 112

court's or parole board's order. "Intensive probation supervision" 113
includes intensive parole supervision and intensive post-release 114
control supervision. 115

(R) "Jail" means a jail, workhouse, minimum security jail, or 116
other residential facility used for the confinement of alleged or 117
convicted offenders that is operated by a political subdivision or 118
a combination of political subdivisions of this state. 119

(S) "Jail term" means the term in a jail that a sentencing 120
court imposes or is authorized to impose pursuant to section 121
2929.24 or 2929.25 of the Revised Code or pursuant to any other 122
provision of the Revised Code that authorizes a term in a jail for 123
a misdemeanor conviction. 124

(T) "Mandatory jail term" means the term in a jail that a 125
sentencing court is required to impose pursuant to division (G) of 126
section 1547.99 of the Revised Code, division (E) of section 127
2903.06 or division (D) of section 2903.08 of the Revised Code, 128
division (E) or (G) of section 2929.24 of the Revised Code, 129
division (B) of section 4510.14 of the Revised Code, or division 130
(G) of section 4511.19 of the Revised Code or pursuant to any 131
other provision of the Revised Code that requires a term in a jail 132
for a misdemeanor conviction. 133

(U) "Delinquent child" has the same meaning as in section 134
2152.02 of the Revised Code. 135

(V) "License violation report" means a report that is made by 136
a sentencing court, or by the parole board pursuant to section 137
2967.28 of the Revised Code, to the regulatory or licensing board 138
or agency that issued an offender a professional license or a 139
license or permit to do business in this state and that specifies 140
that the offender has been convicted of or pleaded guilty to an 141
offense that may violate the conditions under which the offender's 142
professional license or license or permit to do business in this 143

state was granted or an offense for which the offender's 144
professional license or license or permit to do business in this 145
state may be revoked or suspended. 146

(W) "Major drug offender" means an offender who is convicted 147
of or pleads guilty to the possession of, sale of, or offer to 148
sell any drug, compound, mixture, preparation, or substance that 149
consists of or contains at least one thousand grams of hashish; at 150
least one hundred grams of cocaine; at least two thousand five 151
hundred unit doses or two hundred fifty grams of heroin; at least 152
five thousand unit doses of L.S.D. or five hundred grams of L.S.D. 153
in a liquid concentrate, liquid extract, or liquid distillate 154
form; at least fifty grams of a controlled substance analog; or at 155
least one hundred times the amount of any other schedule I or II 156
controlled substance other than marihuana that is necessary to 157
commit a felony of the third degree pursuant to section 2925.03, 158
2925.04, 2925.05, or 2925.11 of the Revised Code that is based on 159
the possession of, sale of, or offer to sell the controlled 160
substance. 161

(X) "Mandatory prison term" means any of the following: 162

(1) Subject to division (X)(2) of this section, the term in 163
prison that must be imposed for the offenses or circumstances set 164
forth in divisions (F)(1) to (8) or (F)(12) to (18) of section 165
2929.13 and division (B) of section 2929.14 of the Revised Code. 166
Except as provided in sections 2925.02, 2925.03, 2925.04, 2925.05, 167
and 2925.11 of the Revised Code, unless the maximum or another 168
specific term is required under section 2929.14 or 2929.142 of the 169
Revised Code, a mandatory prison term described in this division 170
may be any prison term authorized for the level of offense. 171

(2) The term of sixty or one hundred twenty days in prison 172
that a sentencing court is required to impose for a third or 173
fourth degree felony OVI offense pursuant to division (G)(2) of 174
section 2929.13 and division (G)(1)(d) or (e) of section 4511.19 175

of the Revised Code or the term of one, two, three, four, or five 176
years in prison that a sentencing court is required to impose 177
pursuant to division (G)(2) of section 2929.13 of the Revised 178
Code. 179

(3) The term in prison imposed pursuant to division (A) of 180
section 2971.03 of the Revised Code for the offenses and in the 181
circumstances described in division (F)(11) of section 2929.13 of 182
the Revised Code or pursuant to division (B)(1)(a), (b), or (c), 183
(B)(2)(a), (b), or (c), or (B)(3)(a), (b), (c), or (d) of section 184
2971.03 of the Revised Code and that term as modified or 185
terminated pursuant to section 2971.05 of the Revised Code. 186

(Y) "Monitored time" means a period of time during which an 187
offender continues to be under the control of the sentencing court 188
or parole board, subject to no conditions other than leading a 189
law-abiding life. 190

(Z) "Offender" means a person who, in this state, is 191
convicted of or pleads guilty to a felony or a misdemeanor. 192

(AA) "Prison" means a residential facility used for the 193
confinement of convicted felony offenders that is under the 194
control of the department of rehabilitation and correction but 195
does not include a violation sanction center operated under 196
authority of section 2967.141 of the Revised Code. 197

(BB) "Prison term" includes either of the following sanctions 198
for an offender: 199

(1) A stated prison term; 200

(2) A term in a prison shortened by, or with the approval of, 201
the sentencing court pursuant to section 2929.143, 2929.20, 202
2967.26, 5120.031, 5120.032, or 5120.073 of the Revised Code. 203

(CC) "Repeat violent offender" means a person about whom both 204
of the following apply: 205

(1) The person is being sentenced for committing or for	206
complicity in committing any of the following:	207
(a) Aggravated murder, murder, any felony of the first or	208
second degree that is an offense of violence, or an attempt to	209
commit any of these offenses if the attempt is a felony of the	210
first or second degree;	211
(b) An offense under an existing or former law of this state,	212
another state, or the United States that is or was substantially	213
equivalent to an offense described in division (CC)(1)(a) of this	214
section.	215
(2) The person previously was convicted of or pleaded guilty	216
to an offense described in division (CC)(1)(a) or (b) of this	217
section.	218
(DD) "Sanction" means any penalty imposed upon an offender	219
who is convicted of or pleads guilty to an offense, as punishment	220
for the offense. "Sanction" includes any sanction imposed pursuant	221
to any provision of sections 2929.14 to 2929.18 or 2929.24 to	222
2929.28 of the Revised Code.	223
(EE) "Sentence" means the sanction or combination of	224
sanctions imposed by the sentencing court on an offender who is	225
convicted of or pleads guilty to an offense.	226
(FF) "Stated prison term" means the prison term, mandatory	227
prison term, or combination of all prison terms and mandatory	228
prison terms imposed by the sentencing court pursuant to section	229
2929.14, 2929.142, or 2971.03 of the Revised Code or under section	230
2919.25 of the Revised Code. "Stated prison term" includes any	231
credit received by the offender for time spent in jail awaiting	232
trial, sentencing, or transfer to prison for the offense and any	233
time spent under house arrest or house arrest with electronic	234
monitoring imposed after earning credits pursuant to section	235
2967.193 of the Revised Code. If an offender is serving a prison	236

term as a risk reduction sentence under sections 2929.143 and 237
5120.036 of the Revised Code, "stated prison term" includes any 238
period of time by which the prison term imposed upon the offender 239
is shortened by the offender's successful completion of all 240
assessment and treatment or programming pursuant to those 241
sections. 242

(GG) "Victim-offender mediation" means a reconciliation or 243
mediation program that involves an offender and the victim of the 244
offense committed by the offender and that includes a meeting in 245
which the offender and the victim may discuss the offense, discuss 246
restitution, and consider other sanctions for the offense. 247

(HH) "Fourth degree felony OVI offense" means a violation of 248
division (A) of section 4511.19 of the Revised Code that, under 249
division (G) of that section, is a felony of the fourth degree. 250

(II) "Mandatory term of local incarceration" means the term 251
of sixty or one hundred twenty days in a jail, a community-based 252
correctional facility, a halfway house, or an alternative 253
residential facility that a sentencing court may impose upon a 254
person who is convicted of or pleads guilty to a fourth degree 255
felony OVI offense pursuant to division (G)(1) of section 2929.13 256
of the Revised Code and division (G)(1)(d) or (e) of section 257
4511.19 of the Revised Code. 258

(JJ) "Designated homicide, assault, or kidnapping offense," 259
"violent sex offense," "sexual motivation specification," 260
"sexually violent offense," "sexually violent predator," and 261
"sexually violent predator specification" have the same meanings 262
as in section 2971.01 of the Revised Code. 263

(KK) "Sexually oriented offense," "child-victim oriented 264
offense," and "tier III sex offender/child-victim offender" have 265
the same meanings as in section 2950.01 of the Revised Code. 266

(LL) An offense is "committed in the vicinity of a child" if 267

the offender commits the offense within thirty feet of or within 268
the same residential unit as a child who is under eighteen years 269
of age, regardless of whether the offender knows the age of the 270
child or whether the offender knows the offense is being committed 271
within thirty feet of or within the same residential unit as the 272
child and regardless of whether the child actually views the 273
commission of the offense. 274

(MM) "Family or household member" has the same meaning as in 275
section 2919.25 of the Revised Code. 276

(NN) "Motor vehicle" and "manufactured home" have the same 277
meanings as in section 4501.01 of the Revised Code. 278

(OO) "Detention" and "detention facility" have the same 279
meanings as in section 2921.01 of the Revised Code. 280

(PP) "Third degree felony OVI offense" means a violation of 281
division (A) of section 4511.19 of the Revised Code that, under 282
division (G) of that section, is a felony of the third degree. 283

(QQ) "Random drug testing" has the same meaning as in section 284
5120.63 of the Revised Code. 285

(RR) "Felony sex offense" has the same meaning as in section 286
2967.28 of the Revised Code. 287

(SS) "Body armor" has the same meaning as in section 288
2941.1411 of the Revised Code. 289

(TT) "Electronic monitoring" means monitoring through the use 290
of an electronic monitoring device. 291

(UU) "Electronic monitoring device" means any of the 292
following: 293

(1) Any device that can be operated by electrical or battery 294
power and that conforms with all of the following: 295

(a) The device has a transmitter that can be attached to a 296
person, that will transmit a specified signal to a receiver of the 297

type described in division (UU)(1)(b) of this section if the 298
transmitter is removed from the person, turned off, or altered in 299
any manner without prior court approval in relation to electronic 300
monitoring or without prior approval of the department of 301
rehabilitation and correction in relation to the use of an 302
electronic monitoring device for an inmate on transitional control 303
or otherwise is tampered with, that can transmit continuously and 304
periodically a signal to that receiver when the person is within a 305
specified distance from the receiver, and that can transmit an 306
appropriate signal to that receiver if the person to whom it is 307
attached travels a specified distance from that receiver. 308

(b) The device has a receiver that can receive continuously 309
the signals transmitted by a transmitter of the type described in 310
division (UU)(1)(a) of this section, can transmit continuously 311
those signals by a wireless or landline telephone connection to a 312
central monitoring computer of the type described in division 313
(UU)(1)(c) of this section, and can transmit continuously an 314
appropriate signal to that central monitoring computer if the 315
device has been turned off or altered without prior court approval 316
or otherwise tampered with. The device is designed specifically 317
for use in electronic monitoring, is not a converted wireless 318
phone or another tracking device that is clearly not designed for 319
electronic monitoring, and provides a means of text-based or voice 320
communication with the person. 321

(c) The device has a central monitoring computer that can 322
receive continuously the signals transmitted by a wireless or 323
landline telephone connection by a receiver of the type described 324
in division (UU)(1)(b) of this section and can monitor 325
continuously the person to whom an electronic monitoring device of 326
the type described in division (UU)(1)(a) of this section is 327
attached. 328

(2) Any device that is not a device of the type described in 329

division (UU)(1) of this section and that conforms with all of the 330
following: 331

(a) The device includes a transmitter and receiver that can 332
monitor and determine the location of a subject person at any 333
time, or at a designated point in time, through the use of a 334
central monitoring computer or through other electronic means. 335

(b) The device includes a transmitter and receiver that can 336
determine at any time, or at a designated point in time, through 337
the use of a central monitoring computer or other electronic means 338
the fact that the transmitter is turned off or altered in any 339
manner without prior approval of the court in relation to the 340
electronic monitoring or without prior approval of the department 341
of rehabilitation and correction in relation to the use of an 342
electronic monitoring device for an inmate on transitional control 343
or otherwise is tampered with. 344

(3) Any type of technology that can adequately track or 345
determine the location of a subject person at any time and that is 346
approved by the director of rehabilitation and correction, 347
including, but not limited to, any satellite technology, voice 348
tracking system, or retinal scanning system that is so approved. 349

(VV) "Non-economic loss" means nonpecuniary harm suffered by 350
a victim of an offense as a result of or related to the commission 351
of the offense, including, but not limited to, pain and suffering; 352
loss of society, consortium, companionship, care, assistance, 353
attention, protection, advice, guidance, counsel, instruction, 354
training, or education; mental anguish; and any other intangible 355
loss. 356

(WW) "Prosecutor" has the same meaning as in section 2935.01 357
of the Revised Code. 358

(XX) "Continuous alcohol monitoring" means the ability to 359
automatically test and periodically transmit alcohol consumption 360

levels and tamper attempts at least every hour, regardless of the 361
location of the person who is being monitored. 362

(YY) A person is "adjudicated a sexually violent predator" if 363
the person is convicted of or pleads guilty to a violent sex 364
offense and also is convicted of or pleads guilty to a sexually 365
violent predator specification that was included in the 366
indictment, count in the indictment, or information charging that 367
violent sex offense or if the person is convicted of or pleads 368
guilty to a designated homicide, assault, or kidnapping offense 369
and also is convicted of or pleads guilty to both a sexual 370
motivation specification and a sexually violent predator 371
specification that were included in the indictment, count in the 372
indictment, or information charging that designated homicide, 373
assault, or kidnapping offense. 374

(ZZ) An offense is "committed in proximity to a school" if 375
the offender commits the offense in a school safety zone or within 376
five hundred feet of any school building or the boundaries of any 377
school premises, regardless of whether the offender knows the 378
offense is being committed in a school safety zone or within five 379
hundred feet of any school building or the boundaries of any 380
school premises. 381

(AAA) "Human trafficking" means a scheme or plan to which all 382
of the following apply: 383

(1) Its object is to subject a victim or victims to 384
involuntary servitude, as defined in section 2905.31 of the 385
Revised Code, to compel a victim or victims to engage in sexual 386
activity for hire, to engage in a performance that is obscene, 387
sexually oriented, or nudity oriented, or to be a model or 388
participant in the production of material that is obscene, 389
sexually oriented, or nudity oriented. 390

(2) It involves at least two felony offenses, whether or not 391

there has been a prior conviction for any of the felony offenses, 392
to which all of the following apply: 393

(a) Each of the felony offenses is a violation of section 394
2905.01, 2905.02, 2905.32, 2907.21, 2907.22, or 2923.32, division 395
(A)(1) or (2) of section 2907.323, or division (B)(1), (2), (3), 396
(4), or (5) of section 2919.22 of the Revised Code or is a 397
violation of a law of any state other than this state that is 398
substantially similar to any of the sections or divisions of the 399
Revised Code identified in this division. 400

(b) At least one of the felony offenses was committed in this 401
state. 402

(c) The felony offenses are related to the same scheme or 403
plan and are not isolated instances. 404

(BBB) "Material," "nudity," "obscene," "performance," and 405
"sexual activity" have the same meanings as in section 2907.01 of 406
the Revised Code. 407

(CCC) "Material that is obscene, sexually oriented, or nudity 408
oriented" means any material that is obscene, that shows a person 409
participating or engaging in sexual activity, masturbation, or 410
bestiality, or that shows a person in a state of nudity. 411

(DDD) "Performance that is obscene, sexually oriented, or 412
nudity oriented" means any performance that is obscene, that shows 413
a person participating or engaging in sexual activity, 414
masturbation, or bestiality, or that shows a person in a state of 415
nudity. 416

(EEE) "Drug" has the same meaning as in section 4729.01 of 417
the Revised Code. 418

Sec. 2929.18. (A) Except as otherwise provided in this 419
division and in addition to imposing court costs pursuant to 420
section 2947.23 of the Revised Code, the court imposing a sentence 421

upon an offender for a felony may sentence the offender to any 422
financial sanction or combination of financial sanctions 423
authorized under this section or, in the circumstances specified 424
in section 2929.32 of the Revised Code, may impose upon the 425
offender a fine in accordance with that section. Financial 426
sanctions that may be imposed pursuant to this section include, 427
but are not limited to, the following: 428

(1) Restitution by the offender to the victim of the 429
offender's crime or any survivor of the victim, in an amount based 430
on the victim's economic loss. If the court imposes restitution, 431
the court shall order that the restitution be made to the victim 432
in open court, to the adult probation department that serves the 433
county on behalf of the victim, to the clerk of courts, or to 434
another agency designated by the court. If the court imposes 435
restitution, at sentencing, the court shall determine the amount 436
of restitution to be made by the offender. If the court imposes 437
restitution, the court may base the amount of restitution it 438
orders on an amount recommended by the victim, the offender, a 439
presentence investigation report, estimates or receipts indicating 440
the cost of repairing or replacing property, and other 441
information, provided that the amount the court orders as 442
restitution shall not exceed the amount of the economic loss 443
suffered by the victim as a direct and proximate result of the 444
commission of the offense. If the court decides to impose 445
restitution, the court shall hold a hearing on restitution if the 446
offender, victim, or survivor disputes the amount. All restitution 447
payments shall be credited against any recovery of economic loss 448
in a civil action brought by the victim or any survivor of the 449
victim against the offender. 450

If the court imposes restitution, the court may order that 451
the offender pay a surcharge of not more than five per cent of the 452
amount of the restitution otherwise ordered to the entity 453

responsible for collecting and processing restitution payments. 454

The victim or survivor may request that the prosecutor in the 455
case file a motion, or the offender may file a motion, for 456
modification of the payment terms of any restitution ordered. If 457
the court grants the motion, it may modify the payment terms as it 458
determines appropriate. 459

(2) Except as provided in division (B)(1), (3), or (4) of 460
this section, a fine payable by the offender to the state, to a 461
political subdivision, or as described in division (B)(2) of this 462
section to one or more law enforcement agencies, with the amount 463
of the fine based on a standard percentage of the offender's daily 464
income over a period of time determined by the court and based 465
upon the seriousness of the offense. A fine ordered under this 466
division shall not exceed the maximum conventional fine amount 467
authorized for the level of the offense under division (A)(3) of 468
this section. 469

(3) Except as provided in division (B)(1), (3), or (4) of 470
this section, a fine payable by the offender to the state, to a 471
political subdivision when appropriate for a felony, or as 472
described in division (B)(2) of this section to one or more law 473
enforcement agencies, in the following amount: 474

(a) For a felony of the first degree, not more than twenty 475
thousand dollars; 476

(b) For a felony of the second degree, not more than fifteen 477
thousand dollars; 478

(c) For a felony of the third degree, not more than ten 479
thousand dollars; 480

(d) For a felony of the fourth degree, not more than five 481
thousand dollars; 482

(e) For a felony of the fifth degree, not more than two 483

thousand five hundred dollars. 484

(4) A state fine or costs as defined in section 2949.111 of 485
the Revised Code. 486

(5)(a) Reimbursement by the offender of any or all of the 487
costs of sanctions incurred by the government, including the 488
following: 489

(i) All or part of the costs of implementing any community 490
control sanction, including a supervision fee under section 491
2951.021 of the Revised Code; 492

(ii) All or part of the costs of confinement under a sanction 493
imposed pursuant to section 2929.14, 2929.142, or 2929.16 of the 494
Revised Code, provided that the amount of reimbursement ordered 495
under this division shall not exceed the total amount of 496
reimbursement the offender is able to pay as determined at a 497
hearing and shall not exceed the actual cost of the confinement; 498

(iii) All or part of the cost of purchasing and using an 499
immobilizing or disabling device, including a certified ignition 500
interlock device, or a remote alcohol monitoring device that a 501
court orders an offender to use under section 4510.13 of the 502
Revised Code. 503

(b) If the offender is sentenced to a sanction of confinement 504
pursuant to section 2929.14 or 2929.16 of the Revised Code that is 505
to be served in a facility operated by a board of county 506
commissioners, a legislative authority of a municipal corporation, 507
or another local governmental entity, if, pursuant to section 508
307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, 509
or 2947.19 of the Revised Code and section 2929.37 of the Revised 510
Code, the board, legislative authority, or other local 511
governmental entity requires prisoners to reimburse the county, 512
municipal corporation, or other entity for its expenses incurred 513
by reason of the prisoner's confinement, and if the court does not 514

impose a financial sanction under division (A)(5)(a)(ii) of this 515
section, confinement costs may be assessed pursuant to section 516
2929.37 of the Revised Code. In addition, the offender may be 517
required to pay the fees specified in section 2929.38 of the 518
Revised Code in accordance with that section. 519

~~(e)(6)~~ Reimbursement by the offender for costs pursuant to 520
section 2929.71 of the Revised Code. 521

(7) Reimbursement by the offender for any funds expended by a 522
county, township, municipal corporation, or state law enforcement 523
agency to purchase a drug, controlled substance, or controlled 524
substance analog from the offender during the agency's 525
investigation of a drug offense that is a violation of any 526
provision of Chapter 2925. of the Revised Code. 527

(B)(1) For a first, second, or third degree felony violation 528
of any provision of Chapter 2925., 3719., or 4729. of the Revised 529
Code, the sentencing court shall impose upon the offender a 530
mandatory fine of at least one-half of, but not more than, the 531
maximum statutory fine amount authorized for the level of the 532
offense pursuant to division (A)(3) of this section. If an 533
offender alleges in an affidavit filed with the court prior to 534
sentencing that the offender is indigent and unable to pay the 535
mandatory fine and if the court determines the offender is an 536
indigent person and is unable to pay the mandatory fine described 537
in this division, the court shall not impose the mandatory fine 538
upon the offender. 539

(2) Any mandatory fine imposed upon an offender under 540
division (B)(1) of this section and any fine imposed upon an 541
offender under division (A)(2) or (3) of this section for any 542
fourth or fifth degree felony violation of any provision of 543
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 544
to law enforcement agencies pursuant to division (F) of section 545
2925.03 of the Revised Code. 546

(3) For a fourth degree felony OVI offense and for a third 547
degree felony OVI offense, the sentencing court shall impose upon 548
the offender a mandatory fine in the amount specified in division 549
(G)(1)(d) or (e) of section 4511.19 of the Revised Code, whichever 550
is applicable. The mandatory fine so imposed shall be disbursed as 551
provided in the division pursuant to which it is imposed. 552

(4) Notwithstanding any fine otherwise authorized or required 553
to be imposed under division (A)(2) or (3) or (B)(1) of this 554
section or section 2929.31 of the Revised Code for a violation of 555
section 2925.03 of the Revised Code, in addition to any penalty or 556
sanction imposed for that offense under section 2925.03 or 557
sections 2929.11 to 2929.18 of the Revised Code and in addition to 558
the forfeiture of property in connection with the offense as 559
prescribed in Chapter 2981. of the Revised Code, the court that 560
sentences an offender for a violation of section 2925.03 of the 561
Revised Code may impose upon the offender a fine in addition to 562
any fine imposed under division (A)(2) or (3) of this section and 563
in addition to any mandatory fine imposed under division (B)(1) of 564
this section. The fine imposed under division (B)(4) of this 565
section shall be used as provided in division (H) of section 566
2925.03 of the Revised Code. A fine imposed under division (B)(4) 567
of this section shall not exceed whichever of the following is 568
applicable: 569

(a) The total value of any personal or real property in which 570
the offender has an interest and that was used in the course of, 571
intended for use in the course of, derived from, or realized 572
through conduct in violation of section 2925.03 of the Revised 573
Code, including any property that constitutes proceeds derived 574
from that offense; 575

(b) If the offender has no interest in any property of the 576
type described in division (B)(4)(a) of this section or if it is 577
not possible to ascertain whether the offender has an interest in 578

any property of that type in which the offender may have an 579
interest, the amount of the mandatory fine for the offense imposed 580
under division (B)(1) of this section or, if no mandatory fine is 581
imposed under division (B)(1) of this section, the amount of the 582
fine authorized for the level of the offense imposed under 583
division (A)(3) of this section. 584

(5) Prior to imposing a fine under division (B)(4) of this 585
section, the court shall determine whether the offender has an 586
interest in any property of the type described in division 587
(B)(4)(a) of this section. Except as provided in division (B)(6) 588
or (7) of this section, a fine that is authorized and imposed 589
under division (B)(4) of this section does not limit or affect the 590
imposition of the penalties and sanctions for a violation of 591
section 2925.03 of the Revised Code prescribed under those 592
sections or sections 2929.11 to 2929.18 of the Revised Code and 593
does not limit or affect a forfeiture of property in connection 594
with the offense as prescribed in Chapter 2981. of the Revised 595
Code. 596

(6) If the sum total of a mandatory fine amount imposed for a 597
first, second, or third degree felony violation of section 2925.03 598
of the Revised Code under division (B)(1) of this section plus the 599
amount of any fine imposed under division (B)(4) of this section 600
does not exceed the maximum statutory fine amount authorized for 601
the level of the offense under division (A)(3) of this section or 602
section 2929.31 of the Revised Code, the court may impose a fine 603
for the offense in addition to the mandatory fine and the fine 604
imposed under division (B)(4) of this section. The sum total of 605
the amounts of the mandatory fine, the fine imposed under division 606
(B)(4) of this section, and the additional fine imposed under 607
division (B)(6) of this section shall not exceed the maximum 608
statutory fine amount authorized for the level of the offense 609
under division (A)(3) of this section or section 2929.31 of the 610

Revised Code. The clerk of the court shall pay any fine that is 611
imposed under division (B)(6) of this section to the county, 612
township, municipal corporation, park district as created pursuant 613
to section 511.18 or 1545.04 of the Revised Code, or state law 614
enforcement agencies in this state that primarily were responsible 615
for or involved in making the arrest of, and in prosecuting, the 616
offender pursuant to division (F) of section 2925.03 of the 617
Revised Code. 618

(7) If the sum total of the amount of a mandatory fine 619
imposed for a first, second, or third degree felony violation of 620
section 2925.03 of the Revised Code plus the amount of any fine 621
imposed under division (B)(4) of this section exceeds the maximum 622
statutory fine amount authorized for the level of the offense 623
under division (A)(3) of this section or section 2929.31 of the 624
Revised Code, the court shall not impose a fine under division 625
(B)(6) of this section. 626

(8)(a) If an offender who is convicted of or pleads guilty to 627
a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 628
2923.32, division (A)(1) or (2) of section 2907.323, or division 629
(B)(1), (2), (3), (4), or (5) of section 2919.22 of the Revised 630
Code also is convicted of or pleads guilty to a specification of 631
the type described in section 2941.1422 of the Revised Code that 632
charges that the offender knowingly committed the offense in 633
furtherance of human trafficking, the sentencing court shall 634
sentence the offender to a financial sanction of restitution by 635
the offender to the victim or any survivor of the victim, with the 636
restitution including the costs of housing, counseling, and 637
medical and legal assistance incurred by the victim as a direct 638
result of the offense and the greater of the following: 639

(i) The gross income or value to the offender of the victim's 640
labor or services; 641

(ii) The value of the victim's labor as guaranteed under the 642

minimum wage and overtime provisions of the "Federal Fair Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and state labor laws.

(b) If a court imposing sentence upon an offender for a felony is required to impose upon the offender a financial sanction of restitution under division (B)(8)(a) of this section, in addition to that financial sanction of restitution, the court may sentence the offender to any other financial sanction or combination of financial sanctions authorized under this section, including a restitution sanction under division (A)(1) of this section.

(9) In addition to any other fine that is or may be imposed under this section, the court imposing sentence upon an offender for a felony that is a sexually oriented offense or a child-victim oriented offense, as those terms are defined in section 2950.01 of the Revised Code, may impose a fine of not less than fifty nor more than five hundred dollars.

(C)(1) The offender shall pay reimbursements imposed upon the offender pursuant to division (A)(5)(a) of this section to pay the costs incurred by the department of rehabilitation and correction in operating a prison or other facility used to confine offenders pursuant to sanctions imposed under section 2929.14, 2929.142, or 2929.16 of the Revised Code to the treasurer of state. The treasurer of state shall deposit the reimbursements in the confinement cost reimbursement fund that is hereby created in the state treasury. The department of rehabilitation and correction shall use the amounts deposited in the fund to fund the operation of facilities used to confine offenders pursuant to sections 2929.14, 2929.142, and 2929.16 of the Revised Code.

(2) Except as provided in section 2951.021 of the Revised Code, the offender shall pay reimbursements imposed upon the offender pursuant to division (A)(5)(a) of this section to pay the

costs incurred by a county pursuant to any sanction imposed under 675
this section or section 2929.16 or 2929.17 of the Revised Code or 676
in operating a facility used to confine offenders pursuant to a 677
sanction imposed under section 2929.16 of the Revised Code to the 678
county treasurer. The county treasurer shall deposit the 679
reimbursements in the sanction cost reimbursement fund that each 680
board of county commissioners shall create in its county treasury. 681
The county shall use the amounts deposited in the fund to pay the 682
costs incurred by the county pursuant to any sanction imposed 683
under this section or section 2929.16 or 2929.17 of the Revised 684
Code or in operating a facility used to confine offenders pursuant 685
to a sanction imposed under section 2929.16 of the Revised Code. 686

(3) Except as provided in section 2951.021 of the Revised 687
Code, the offender shall pay reimbursements imposed upon the 688
offender pursuant to division (A)(5)(a) of this section to pay the 689
costs incurred by a municipal corporation pursuant to any sanction 690
imposed under this section or section 2929.16 or 2929.17 of the 691
Revised Code or in operating a facility used to confine offenders 692
pursuant to a sanction imposed under section 2929.16 of the 693
Revised Code to the treasurer of the municipal corporation. The 694
treasurer shall deposit the reimbursements in a special fund that 695
shall be established in the treasury of each municipal 696
corporation. The municipal corporation shall use the amounts 697
deposited in the fund to pay the costs incurred by the municipal 698
corporation pursuant to any sanction imposed under this section or 699
section 2929.16 or 2929.17 of the Revised Code or in operating a 700
facility used to confine offenders pursuant to a sanction imposed 701
under section 2929.16 of the Revised Code. 702

(4) Except as provided in section 2951.021 of the Revised 703
Code, the offender shall pay reimbursements imposed pursuant to 704
division (A)(5)(a) of this section for the costs incurred by a 705
private provider pursuant to a sanction imposed under this section 706

or section 2929.16 or 2929.17 of the Revised Code to the provider. 707

(D) Except as otherwise provided in this division, a 708
financial sanction imposed pursuant to division (A) or (B) of this 709
section is a judgment in favor of the state or a political 710
subdivision in which the court that imposed the financial sanction 711
is located, and the offender subject to the financial sanction is 712
the judgment debtor. A financial sanction of reimbursement imposed 713
pursuant to division (A)(5)(a)(ii) of this section upon an 714
offender who is incarcerated in a state facility or a municipal 715
jail is a judgment in favor of the state or the municipal 716
corporation, and the offender subject to the financial sanction is 717
the judgment debtor. A financial sanction of reimbursement imposed 718
upon an offender pursuant to division (A)(7) of this section is a 719
judgment in favor of the county, township, municipal corporation, 720
or state law enforcement agency, and the offender subject to the 721
financial sanction is the judgment debtor. A financial sanction of 722
reimbursement imposed upon an offender pursuant to this section 723
for costs incurred by a private provider of sanctions is a 724
judgment in favor of the private provider, and the offender 725
subject to the financial sanction is the judgment debtor. A 726
financial sanction of restitution imposed pursuant to division 727
(A)(1) or (B)(8) of this section is an order in favor of the 728
victim of the offender's criminal act that can be collected 729
through a certificate of judgment as described in division (D)(1) 730
of this section, through execution as described in division (D)(2) 731
of this section, or through an order as described in division 732
(D)(3) of this section, and the offender shall be considered for 733
purposes of the collection as the judgment debtor. Imposition of a 734
financial sanction and execution on the judgment does not preclude 735
any other power of the court to impose or enforce sanctions on the 736
offender. Once the financial sanction is imposed as a judgment or 737
order under this division, the victim, private provider, law 738
enforcement agency, state, or political subdivision may do any of 739

the following:	740
(1) Obtain from the clerk of the court in which the judgment was entered a certificate of judgment that shall be in the same manner and form as a certificate of judgment issued in a civil action;	741 742 743 744
(2) Obtain execution of the judgment or order through any available procedure, including:	745 746
(a) An execution against the property of the judgment debtor under Chapter 2329. of the Revised Code;	747 748
(b) An execution against the person of the judgment debtor under Chapter 2331. of the Revised Code;	749 750
(c) A proceeding in aid of execution under Chapter 2333. of the Revised Code, including:	751 752
(i) A proceeding for the examination of the judgment debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 2333.27 of the Revised Code;	753 754 755
(ii) A proceeding for attachment of the person of the judgment debtor under section 2333.28 of the Revised Code;	756 757
(iii) A creditor's suit under section 2333.01 of the Revised Code.	758 759
(d) The attachment of the property of the judgment debtor under Chapter 2715. of the Revised Code;	760 761
(e) The garnishment of the property of the judgment debtor under Chapter 2716. of the Revised Code.	762 763
(3) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.	764 765
(E) A court that imposes a financial sanction upon an offender may hold a hearing if necessary to determine whether the offender is able to pay the sanction or is likely in the future to	766 767 768

be able to pay it. 769

(F) Each court imposing a financial sanction upon an offender 770
under this section or under section 2929.32 of the Revised Code 771
may designate the clerk of the court or another person to collect 772
the financial sanction. The clerk or other person authorized by 773
law or the court to collect the financial sanction may enter into 774
contracts with one or more public agencies or private vendors for 775
the collection of, amounts due under the financial sanction 776
imposed pursuant to this section or section 2929.32 of the Revised 777
Code. Before entering into a contract for the collection of 778
amounts due from an offender pursuant to any financial sanction 779
imposed pursuant to this section or section 2929.32 of the Revised 780
Code, a court shall comply with sections 307.86 to 307.92 of the 781
Revised Code. 782

(G) If a court that imposes a financial sanction under 783
division (A) or (B) of this section finds that an offender 784
satisfactorily has completed all other sanctions imposed upon the 785
offender and that all restitution that has been ordered has been 786
paid as ordered, the court may suspend any financial sanctions 787
imposed pursuant to this section or section 2929.32 of the Revised 788
Code that have not been paid. 789

(H) No financial sanction imposed under this section or 790
section 2929.32 of the Revised Code shall preclude a victim from 791
bringing a civil action against the offender. 792

Sec. 2929.28. (A) In addition to imposing court costs 793
pursuant to section 2947.23 of the Revised Code, the court 794
imposing a sentence upon an offender for a misdemeanor, including 795
a minor misdemeanor, may sentence the offender to any financial 796
sanction or combination of financial sanctions authorized under 797
this section. If the court in its discretion imposes one or more 798
financial sanctions, the financial sanctions that may be imposed 799

pursuant to this section include, but are not limited to, the 800
following: 801

(1) Unless the misdemeanor offense is a minor misdemeanor or 802
could be disposed of by the traffic violations bureau serving the 803
court under Traffic Rule 13, restitution by the offender to the 804
victim of the offender's crime or any survivor of the victim, in 805
an amount based on the victim's economic loss. The court may not 806
impose restitution as a sanction pursuant to this division if the 807
offense is a minor misdemeanor or could be disposed of by the 808
traffic violations bureau serving the court under Traffic Rule 13. 809
If the court requires restitution, the court shall order that the 810
restitution be made to the victim in open court or to the adult 811
probation department that serves the jurisdiction or the clerk of 812
the court on behalf of the victim. 813

If the court imposes restitution, the court shall determine 814
the amount of restitution to be paid by the offender. If the court 815
imposes restitution, the court may base the amount of restitution 816
it orders on an amount recommended by the victim, the offender, a 817
presentence investigation report, estimates or receipts indicating 818
the cost of repairing or replacing property, and other 819
information, provided that the amount the court orders as 820
restitution shall not exceed the amount of the economic loss 821
suffered by the victim as a direct and proximate result of the 822
commission of the offense. If the court decides to impose 823
restitution, the court shall hold an evidentiary hearing on 824
restitution if the offender, victim, or survivor disputes the 825
amount of restitution. If the court holds an evidentiary hearing, 826
at the hearing the victim or survivor has the burden to prove by a 827
preponderance of the evidence the amount of restitution sought 828
from the offender. 829

All restitution payments shall be credited against any 830

recovery of economic loss in a civil action brought by the victim 831
or any survivor of the victim against the offender. No person may 832
introduce evidence of an award of restitution under this section 833
in a civil action for purposes of imposing liability against an 834
insurer under section 3937.18 of the Revised Code. 835

If the court imposes restitution, the court may order that 836
the offender pay a surcharge, of not more than five per cent of 837
the amount of the restitution otherwise ordered, to the entity 838
responsible for collecting and processing restitution payments. 839

The victim or survivor may request that the prosecutor in the 840
case file a motion, or the offender may file a motion, for 841
modification of the payment terms of any restitution ordered. If 842
the court grants the motion, it may modify the payment terms as it 843
determines appropriate. 844

(2) A fine of the type described in divisions (A)(2)(a) and 845
(b) of this section payable to the appropriate entity as required 846
by law: 847

(a) A fine in the following amount: 848

(i) For a misdemeanor of the first degree, not more than one 849
thousand dollars; 850

(ii) For a misdemeanor of the second degree, not more than 851
seven hundred fifty dollars; 852

(iii) For a misdemeanor of the third degree, not more than 853
five hundred dollars; 854

(iv) For a misdemeanor of the fourth degree, not more than 855
two hundred fifty dollars; 856

(v) For a minor misdemeanor, not more than one hundred fifty 857
dollars. 858

(b) A state fine or cost as defined in section 2949.111 of 859
the Revised Code. 860

(3)(a) Reimbursement by the offender of any or all of the 861
costs of sanctions incurred by the government, including, but not 862
limited to, the following: 863

(i) All or part of the costs of implementing any community 864
control sanction, including a supervision fee under section 865
2951.021 of the Revised Code; 866

(ii) All or part of the costs of confinement in a jail or 867
other residential facility, including, but not limited to, a per 868
diem fee for room and board, the costs of medical and dental 869
treatment, and the costs of repairing property damaged by the 870
offender while confined; 871

(iii) All or part of the cost of purchasing and using an 872
immobilizing or disabling device, including a certified ignition 873
interlock device, or a remote alcohol monitoring device that a 874
court orders an offender to use under section 4510.13 of the 875
Revised Code. 876

(b) The amount of reimbursement ordered under division 877
(A)(3)(a) of this section shall not exceed the total amount of 878
reimbursement the offender is able to pay and shall not exceed the 879
actual cost of the sanctions. The court may collect any amount of 880
reimbursement the offender is required to pay under that division. 881
If the court does not order reimbursement under that division, 882
confinement costs may be assessed pursuant to a repayment policy 883
adopted under section 2929.37 of the Revised Code. In addition, 884
the offender may be required to pay the fees specified in section 885
2929.38 of the Revised Code in accordance with that section. 886

(4) Reimbursement by the offender for any funds expended by a 887
county, township, municipal corporation, or state law enforcement 888
agency to purchase a drug, controlled substance, or controlled 889
substance analog from the offender during the agency's 890
investigation of a drug offense that is a violation of any 891

provision of Chapter 2925. of the Revised Code. 892

(B) If the court determines a hearing is necessary, the court 893
may hold a hearing to determine whether the offender is able to 894
pay the financial sanction imposed pursuant to this section or 895
court costs or is likely in the future to be able to pay the 896
sanction or costs. 897

If the court determines that the offender is indigent and 898
unable to pay the financial sanction or court costs, the court 899
shall consider imposing and may impose a term of community service 900
under division (A) of section 2929.27 of the Revised Code in lieu 901
of imposing a financial sanction or court costs. If the court does 902
not determine that the offender is indigent, the court may impose 903
a term of community service under division (A) of section 2929.27 904
of the Revised Code in lieu of or in addition to imposing a 905
financial sanction under this section and in addition to imposing 906
court costs. The court may order community service for a minor 907
misdemeanor pursuant to division (D) of section 2929.27 of the 908
Revised Code in lieu of or in addition to imposing a financial 909
sanction under this section and in addition to imposing court 910
costs. If a person fails to pay a financial sanction or court 911
costs, the court may order community service in lieu of the 912
financial sanction or court costs. 913

(C)(1) The offender shall pay reimbursements imposed upon the 914
offender pursuant to division (A)(3) of this section to pay the 915
costs incurred by a county pursuant to any sanction imposed under 916
this section or section 2929.26 or 2929.27 of the Revised Code or 917
in operating a facility used to confine offenders pursuant to a 918
sanction imposed under section 2929.26 of the Revised Code to the 919
county treasurer. The county treasurer shall deposit the 920
reimbursements in the county's general fund. The county shall use 921
the amounts deposited in the fund to pay the costs incurred by the 922
county pursuant to any sanction imposed under this section or 923

section 2929.26 or 2929.27 of the Revised Code or in operating a 924
facility used to confine offenders pursuant to a sanction imposed 925
under section 2929.26 of the Revised Code. 926

(2) The offender shall pay reimbursements imposed upon the 927
offender pursuant to division (A)(3) of this section to pay the 928
costs incurred by a municipal corporation pursuant to any sanction 929
imposed under this section or section 2929.26 or 2929.27 of the 930
Revised Code or in operating a facility used to confine offenders 931
pursuant to a sanction imposed under section 2929.26 of the 932
Revised Code to the treasurer of the municipal corporation. The 933
treasurer shall deposit the reimbursements in the municipal 934
corporation's general fund. The municipal corporation shall use 935
the amounts deposited in the fund to pay the costs incurred by the 936
municipal corporation pursuant to any sanction imposed under this 937
section or section 2929.26 or 2929.27 of the Revised Code or in 938
operating a facility used to confine offenders pursuant to a 939
sanction imposed under section 2929.26 of the Revised Code. 940

(3) The offender shall pay reimbursements imposed pursuant to 941
division (A)(3) of this section for the costs incurred by a 942
private provider pursuant to a sanction imposed under this section 943
or section 2929.26 or 2929.27 of the Revised Code to the provider. 944

(D) Except as otherwise provided in this division, a 945
financial sanction imposed under division (A) of this section is a 946
judgment in favor of the state or the political subdivision that 947
operates the court that imposed the financial sanction, and the 948
offender subject to the financial sanction is the judgment debtor. 949
A financial sanction of reimbursement imposed pursuant to division 950
(A)(3)(a)(i) of this section upon an offender is a judgment in 951
favor of the entity administering the community control sanction, 952
and the offender subject to the financial sanction is the judgment 953
debtor. A financial sanction of reimbursement imposed pursuant to 954
division (A)(3)(a)(ii) of this section upon an offender confined 955

in a jail or other residential facility is a judgment in favor of 956
the entity operating the jail or other residential facility, and 957
the offender subject to the financial sanction is the judgment 958
debtor. A financial sanction of reimbursement imposed upon an 959
offender pursuant to division (A)(4) of this section is a judgment 960
in favor of the county, township, municipal corporation, or state 961
law enforcement agency, and the offender subject to the financial 962
sanction is the judgment debtor. A financial sanction of 963
restitution imposed pursuant to division (A)(1) of this section is 964
an order in favor of the victim of the offender's criminal act 965
that can be collected through a certificate of judgment as 966
described in division (D)(1) of this section, through execution as 967
described in division (D)(2) of this section, or through an order 968
as described in division (D)(3) of this section, and the offender 969
shall be considered for purposes of the collection as the judgment 970
debtor. 971

Once the financial sanction is imposed as a judgment or order 972
under this division, the victim, private provider, law enforcement 973
agency, state, or political subdivision may do any of the 974
following: 975

(1) Obtain from the clerk of the court in which the judgment 976
was entered a certificate of judgment that shall be in the same 977
manner and form as a certificate of judgment issued in a civil 978
action; 979

(2) Obtain execution of the judgment or order through any 980
available procedure, including any of the procedures identified in 981
divisions (D)(1) and (2) of section 2929.18 of the Revised Code. 982

(3) Obtain an order for the assignment of wages of the 983
judgment debtor under section 1321.33 of the Revised Code. 984

(E) The civil remedies authorized under division (D) of this 985
section for the collection of the financial sanction supplement, 986

but do not preclude, enforcement of the criminal sentence. 987

(F) Each court imposing a financial sanction upon an offender 988
under this section may designate the clerk of the court or another 989
person to collect the financial sanction. The clerk, or another 990
person authorized by law or the court to collect the financial 991
sanction may do the following: 992

(1) Enter into contracts with one or more public agencies or 993
private vendors for the collection of amounts due under the 994
sanction. Before entering into a contract for the collection of 995
amounts due from an offender pursuant to any financial sanction 996
imposed pursuant to this section, a court shall comply with 997
sections 307.86 to 307.92 of the Revised Code. 998

(2) Permit payment of all or any portion of the sanction in 999
installments, by financial transaction device if the court is a 1000
county court or a municipal court operated by a county, by credit 1001
or debit card or by another electronic transfer if the court is a 1002
municipal court not operated by a county, or by any other 1003
reasonable method, in any time, and on any terms that court 1004
considers just, except that the maximum time permitted for payment 1005
shall not exceed five years. If the court is a county court or a 1006
municipal court operated by a county, the acceptance of payments 1007
by any financial transaction device shall be governed by the 1008
policy adopted by the board of county commissioners of the county 1009
pursuant to section 301.28 of the Revised Code. If the court is a 1010
municipal court not operated by a county, the clerk may pay any 1011
fee associated with processing an electronic transfer out of 1012
public money or may charge the fee to the offender. 1013

(3) To defray administrative costs, charge a reasonable fee 1014
to an offender who elects a payment plan rather than a lump sum 1015
payment of any financial sanction. 1016

(G) No financial sanction imposed under this section shall 1017

preclude a victim from bringing a civil action against the 1018
offender. 1019

Section 2. That existing sections 2929.01, 2929.18, and 1020
2929.28 of the Revised Code are hereby repealed. 1021